



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91803-1331
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GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

July 31, 2012

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

33 July 31, 2012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**AMENDMENT 2 TO CONTRACT NO. 001749
FOR HEATING, VENTILATION, AND AIR CONDITIONING SERVICES AT PUBLIC WORKS
HEADQUARTERS AND FIELD FACILITIES
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

This action is to amend the contract with Johnson Controls, Inc., d.b.a Cal-Air, Inc., for Heating, Ventilation, and Air Conditioning Services - Public Works Headquarters and Field Facilities, to extend the contract on a month-to-month basis for up to six months until a replacement contract is awarded.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the work continues to be categorically exempt from the provisions of the California Environmental Quality Act.
2. Approve Amendment 2 to Contract No. 001749 with Johnson Controls, Inc., d.b.a. Cal-Air, Inc., for Heating, Ventilation, and Air Conditioning Services – Public Works Headquarters and Field Facilities, to extend the contract on a month-to-month basis for up to six months starting August 28, 2012, at a monthly amount of \$5,137 and at an aggregate amount of up to \$30,822 for the six-month period while the Department of Public Works completes the solicitation process for a replacement contract.
3. Authorize the Director of Public Works or her designee to increase the contract amount up to an additional 10 percent of the contract sum for unforeseen, additional work within the scope of the contract, if required.
4. Authorize the Director of Public Works or her designee to execute the amendment upon proper

execution by the contractor and approval as to form by County Counsel.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to continue this contract on a month-to-month basis starting August 28, 2012, for up to six months while the Department of Public Works (Public Works) completes the solicitation process for a replacement contract. The extension of the contract is necessary to ensure continuation of as-needed and intermittent heating, ventilation, and air conditioning (HVAC) services to continue providing preventive maintenance; as-needed technical repairs; mechanical repairs; and written reports for the Public Works Headquarters and field facilities HVAC systems.

The preparation of a Request for Proposals began several months ago, but the need for material changes in the solicitation documents requires us to request this extension. When proposals have been received and evaluated, Public Works will recommend that a contract be awarded to continue provision of these services.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1), Fiscal Sustainability (Goal 2), and Integrated Services Delivery (Goal 3). The contractor who has the specialized expertise to provide these services accurately, efficiently, timely, and in a responsive manner will support Public Works in meeting these goals.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The requested amount is \$30,822 for the six-month period plus an additional 10 percent of the contract sum for unforeseen, additional work within the scope of the contract, if required. This amount is based on a monthly amount of \$5,137. Funding for these services is included in the Fiscal Year 2012-13 budget for various Public Works funds. When the need arises for services under this contract, financing the required services will be from the appropriate fund source.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On June 5, 2007, Agenda Item 49, your Board approved Contract No. 001749 with Johnson Controls, Inc., d.b.a Cal-Air, Inc., located in Whittier, California, for HVAC Services – Public Works Headquarters and Field Facilities, authorizing annual contract expenditures of \$70,044 with a potential maximum sum of \$210,132. The contract was for an initial three-year term with no renewal options commencing on June 29, 2007.

In accordance with the motion passed by your Board on June 16, 2009, Public Works successfully negotiated with Johnson Controls, Inc., d.b.a. Cal-Air, Inc., to accept a 12 percent contract cost reduction without any reduction in the goods and services provided to the County in exchange for a contract term extension to June 28, 2012.

In accordance with the contract's terms, the contract was extended for an additional 60 days, commencing on June 29, 2012, without exceeding spending authority. The contract is set to expire

on August 27, 2012. This Amendment 2 will extend the contract on a month-to-month basis for up to six months for a maximum contract term of 68 months. All terms, conditions, requirements, prices, and specifications for the contract will remain unchanged.

The amendment, which is substantially reflected in the enclosed form (Enclosure), will continue the contract's current terms, specifications, and conditions. The Director of Public Works or her designee will execute the amendment in accordance with your Board's authorization and only upon proper execution by the contractor and approval as to form by County Counsel.

ENVIRONMENTAL DOCUMENTATION

These services are exempt from the California Environmental Quality Act (CEQA) pursuant to Class 1, Section 15301, of CEQA.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the amendment will continue the current contract services.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Administrative Services Division.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:GZ:cg

Enclosures

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

AMENDMENT 2 TO CONTRACT NO. 001749HEATING, VENTILATION, AND AIR CONDITIONING (HVAC)
SERVICES – PUBLIC WORKS HEADQUARTERS AND FIELD FACILITIES

THIS AMENDMENT, made and entered into this ____ day of _____, 2012, by and between the COUNTY OF LOS ANGELES, a subdivision of the State of California, a body corporate and politic (hereinafter referred to as COUNTY) and JOHNSON CONTROLS, INC., d.b.a. CAL-AIR, INC., a California Corporation (hereinafter referred to as CONTRACTOR).

WITNESSETH

WHEREAS, Contract No. 001749 ("Contract") was entered into between the COUNTY and the CONTRACTOR, June 29, 2007, to provide Heating, Ventilation, and Air Conditioning (HVAC) Services – Public Works Headquarters and Field Facilities, with the initial period of 36 months; and

WHEREAS, in accordance with the motion passed by the Board of Supervisors on June 16, 2009; on July 22, 2009, the COUNTY negotiated with the CONTRACTOR to accept a 12 percent cost reduction without any reduction in the goods and services provided to the COUNTY in exchange for a contract term extension for two years starting June 29, 2010, through and including June 28, 2012; and

WHEREAS, pursuant to Exhibit B, Service Contract General Requirements, Section 2.A, Amendments, of the Contract, the County has extended the Contract term for sixty days, to August 27, 2012; and

WHEREAS, the parties desire to extend the Contract on a month-to-month basis for up to six additional months at an amount not to exceed \$30,822 while the solicitation process for a new contract for this service is completed; and

WHEREAS, the CONTRACTOR is willing to provide the service under the Contract's existing terms and conditions during the period as extended under this AMENDMENT.

NOW, THEREFORE, in consideration of these facts and payment to be made by the COUNTY, the COUNTY and the CONTRACTOR agree that Contract No. 001749 between them shall be amended as follows:

FIRST: The CONTRACTOR shall provide continuous performance of this Contract commencing on August 28, 2012, on a month-to-month basis up to the maximum period of six months, unless the COUNTY provides written notice of nonrenewal at least ten days before the last day of any month, in which case this Contract shall expire as of midnight on the last day of the month.

SECOND: This Contract's not-to-exceed amount for the maximum six-month period for heating, ventilation, and air conditioning (HVAC) services remains at the reduced rate as provided in Amendment 1 to the Contract with an aggregate total of \$30,822 for the

six-month period or the monthly amount of \$5,137 or such greater sum as the Board may approve.

THIRD: The following provision is incorporated into the Contract, Exhibit B, Section 4.T:

T. County Contract Database/CARD

The County maintains databases that track/monitor Contractor performance history. Information entered into such databases may be used for a variety of purposes, including determining whether the County will exercise a Contract term extension option.

FOURTH: Except as modified in the AMENDMENT, all terms, conditions, requirements, and specifications of the Contract, shall remain in full force and effect.

[illegible]

IN WITNESS WHEREOF, the COUNTY has, by order of its Board of Supervisors, caused these presents to be subscribed by the Director of Public Works, and the CONTRACTOR has subscribed its name by and through its duly authorized officers, as of the day, month, and year first written above.

COUNTY OF LOS ANGELES

By _____
Director of Public Works

APPROVED AS TO FORM:

JOHN F. KRATTLI
County Counsel

By _____
Deputy

JOHNSON CONTROLS, INC.,
d.b.a. CAL-AIR, INC.,

By _____
Its President

Type or Print Name

By _____
Its Secretary

Type or Print Name